## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

RETHINK35, TEXAS PUBLIC
INTEREST RESEARCH GROUP, AND
ENVIRONMENT TEXAS,

Plaintiffs,

V.

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TEXAS DEPARTMENT OF
TRANSPORTATION; AND MARC D.
WILLIAMS, IN HIS OFFICIAL
CAPACITY AS EXECUTIVE
DIRECTOR OF THE TEXAS
DEPARTMENT OF
TRANSPORTATION,
Defendants.

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CIVIL ACTION NO. 1:22-cv-00620-LY
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TRANSPORTATION,
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Defendants.

## NOTICE OF LODGING OF ADMINISTRATIVE RECORDS

Defendants hereby lodge with the Court the two separate Administrative Records for the Texas Department of Transportation's decisions regarding the Capitol Express North and Capitol Express South projects (the Projects). The Administrative Record for the North Project consists of 6,591 pages (Bates numbered ARN.1 through ARN.6591). The Administrative Record for the South Project consists of 3,625 pages (Bates numbered ARS.1 through ARS.3625). Both Administrative Records are separately contained on a single flash drive. The Declaration of Doug Booher ("Declaration") certifying each of the Administrative Records is attached to this notice. Separate indices for each of the Administrative Records are attached to the Declaration as Exhibits 1 and 2.

On November 18, 2022, a flash drive containing the North and South Projects' Administrative Records and their respective indices was served on counsel for Plaintiffs, Charles Irvine, Irvine & Conner, PLLC, 4709 Austin Street, Houston, TX 77004, phone: (713) 533-1704.

Two courtesy copies of the North and South Projects' Administrative Records on flash drives have also been delivered to the Clerk's Office, United States District Court for the Western District of Texas, U.S. District Clerk's Office, 501 West Fifth Street, Suite 1100, Austin, Texas 78701, phone: (512) 916-5896, for use by the Clerk and for delivery to Judge Yeakel's chambers.

Dated this 21st day of November 2022.

Respectfully submitted,

KEN PAXTON Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

GRANT DORFMAN
Deputy First Assistant Attorney General

SHAWN COWLES
Deputy Attorney General for Civil Litigation

SUSAN DESMARAIS BONNEN Deputy Chief, Transportation Division

/s/ Lisa McClain Mitchell
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ATTORNEYS FOR DEFENDANT, TEXAS DEPARTMENT OF TRANSPORTATION

## **CERTIFICATE OF SERVICE**

I hereby certify that on November 21st, 2022, I electronically filed the foregoing Notice of Lodging, Certification, and Index with the Clerk of the Court using the CM/ECF system, which will send notification to registered users.

Two flash drives containing the North and South Projects' Administrative Records of the Texas Department of Transportation were delivered via overnight delivery to:

Via FedEx: 7705 3570 9857

Via FedEx: 7705 2845 5444

United States District Court for the Western District of Texas
U.S. District Clerk's Office,
ATTN: Alicia Davis, Divisional
Office Manager
501 West Fifth Street, Suite 1100
Austin, Texas 78701
Phone: (512) 916-5896

In addition, one flash drive containing the North and South Projects' Administrative Records of the Texas Department of Transportation delivered via overnight delivery to:

Charles Irvine Irvine & Conner, PLLC 4709 Austin St. Houston, Texas 77004 Phone: (713) 533-1704

Counsel for Plaintiffs Harris County, Texas

/s/ Lisa McClain Mitchell
LISA MCCLAIN MITCHELL
Assistant Attorney General